

REMARKS

Claims 1 and 2 remain pending in the application. Claim 1 has been amended.

Reconsideration of the rejections and allowance of the pending application in view of the foregoing amendment and following remarks are respectfully requested.

In the Office Action of May 3, 2005, claims 1 and 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Glaser et al., U.S. Patent No. 6,523,841 (hereinafter "Glaser") in view of Cromley, Jr., U.S. Patent No. 5,326,128 (hereinafter "Cromley"). This rejection is respectfully traversed.

Independent claim 1 has been amended to more clearly define a structural feature of the invention and to more clearly distinguish over the applied prior art references by more clearly reciting the right and left mount bushes. No new matter is introduced by the present amendment.

It is a disclosed object of the present invention to provide a torsion beam axle suspension capable of inducing toe-in characteristics and increasing transverse rigidity of mounts when a transverse force is applied to a turning outer wheel at a rear suspension during a concerning of a vehicle.

To achieve the above-noted object, a torsion beam axle suspension of the present invention, as recited in amended claim 1, includes, inter alia, right and left trailing arms arranged in a longitudinal direction of a body, and a torsion beam connecting the right and left trailing arms. Each of the right and left trailing arms of claim 1 has one end provided with a mount into which a mount bush is fitted, and the right and left mount bushes each have a center axis, the center axis of each of the right and left mount bushes is set at an

angle with respect to the Y axis in a plane formed by the X and Y axes, the center axis of each of the right and left mount bushes is set at an angle with respect to the Y axis in a plane formed by the Y and Z axes, the X axis being formed in the longitudinal direction of the body. The Y axis is formed in a width direction of the body, and the Z axis is formed in a height direction of the body.

Applicant respectfully submits that the cited references relied upon in the rejection under 35U.S.C. 103(a) do not disclose such a combination of features.

In the primary Glaser reference, the center axes of the mounting eyes 5 are set at an angle relative to the width direction of the twist-beam angle 1. That is, the center axes of the mounting eyes 5 appear to be substantially parallel to the transverse strut 4. See, for example, Figure 1 of Glaser. Thus, the Glaser reference would not render or suggest the presently claimed invention unpatentable.

In the secondary Cromley reference, the torsional spring subassemblies 14A and 16A which attach to the frame side rails 24A and 25A are positioned at an angle "A" relative to each other. However, this angle is formed only in a Z (vertical) direction, so as to provide a camber to wheel assemblies 48A. See col. 8, lines 45-59. Thus, an angle is formed in the X (longitudinal) direction of the suspension assembly 10A. Therefore, Cromley does not overcome the deficiencies of Glaser.

Therefore, even assuming, for the sake of argument, that it would have been obvious to bend Glaser's torsion beam 4 to provide a camber, as the Examiner asserts, it does not appear that such a modification would result in the center axes of Glaser's mounting eyes 5 being set at angles with respect to the Y (widthwise) axis in a plane

formed by the X and Y axes. Thus, it is respectfully submitted that the Examiner's proposed combination of Glaser and Cromley would not result in the present invention as recited in claim 1.

Thus, the rejection of independent claim 1, and of dependent claim 2 under 35 U.S.C.103(a) is improper for at least these reasons, and withdrawal of such rejection is respectfully requested.

Claim 1 is objected to because of the informalities in the term "plan" in line 7 of claim 1.

Claim 1 has been amended to correct the informalities by changing "plan" to --plane-- therein.

Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based on prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to be attached thereto.

Independent claim 1 is now in condition for allowance in view of the amendments and the above-noted remarks. Dependent claim 2 is also submitted to be in condition for allowance in view of its dependence from the allowable base claim and also at least based upon its recitations of additional features of the present invention. It is respectfully requested, therefore, that the rejection under 35 U.S.C.103(a) be withdrawn and that an early indication of the allowance thereof be given.

Based on the above, it is respectfully submitted that this application is now in condition for allowance, and a Notice of Allowance is respectfully requested.

P24632.A02

Should the Examiner have any questions or comments regarding this response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
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